

FILED

MAR 04 2019

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY KMT DEPUTYANTHONY LAMAR DINGKO
Name P.C.E./N.L.G. memberDOC ID Number: 191626/D.S.B.1299 N.W. 5th Street, P.O. Box 97
AddressMcAlester, Oklahoma, 74502-4997UNITED STATES DISTRICT COURT
FOR THE ~~EASTERN~~ DISTRICT OF OKLAHOMA
WesternANTHONY LAMAR DINGKO Plaintiff(s)
(Full Name) P.C.E./NATIONAL LAWYER GUILD member

CIV-19-212-HE

v.

Case No.

(To be supplied by the Clerk)

Joseph Allbaugh, D.R. Defendant(s)Imminent Danger of Serious Physical
CIVIL RIGHTS COMPLAINT Injury

PURSUANT TO 42 U.S.C. § 1983

Mike Carpenter, Warden, D.S.B., ChaplerAllen, CIRPLAIN, D.S.B., ANNA LIE COOPER, D.W. ET AL**A. PARTIES**1) ANTHONY LAMAR DINGKO
Joseph Allbaugh is a citizen of OKLAHOMA
(Plaintiff) (State)who presently resides at D.S.B., P.O. Box 97, 1299 N.W. 5th Street
McAlester, Oklahoma, 74502-4997
(mailing address or place of confinement)2) Defendant Joseph Allbaugh is a citizen of
(Name of first defendant)OKLA CITY, OKLAHOMA, and is employed
(City, State)as OKLA. Dept. of Corr., Director
(Position and title, if any)"In his individual & official capacities being sued"
At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? Yes ☒ No ☐If your answer is "Yes", briefly explain: see memorandum of LAW 191626
As Dir of D.D.C. He created the DOC policies of 191626, et seq.Amended & Allowing & Encouraging the illegal religious acts
Violations of Deprivation of my moment Distr & Practices & failed
to take action on my grievances to him to stop & change my religious
& concerning & causing legal & personal rights violation

ADDITIONAL DEFENDANTS

4) Defendant NATALIE COOPER is a citizen of
MCALISTER, OKLAHOMA as is employed

as OKLA. STATE Pen., Deputy Warden III
 (Position and title, if any)

In her individual & official capacities being sued
 At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of
 state law? Yes no. If your answer is "YES", briefly explain: See ATTACH M.D.L. #1 of 12
Since July 2017 thru February 2019 etc. she had issued illegal

orders to D.S. mail room staff, A.C. & H. with C.D. staff etc. to let
these units know that all our outgoing personal mail & my legal mail

5) Defendant Charles Allen is a citizen of Are to be kept
MCALISTER, OKLAHOMA as is employed unretrieved - it
 (City, State) will be returned
 as OKLA. STATE Pen., Chaplain this extreme risk
 (Position and title, if any) friction etc. my

In his individual & official capacities being sued mail never
 At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of SECURITY
 state law? Yes no. If your answer is "YES", briefly explain: OPB3417

see Exhibits A & B Religious Diet form which if Sec. Don't
he use to approve my non meat Diet, new Prisoner allow this
stop that & my Hebrew religious isn't called Religious the Hebrew fr-
Diet & he ask I will Jewish Kasher on getting six
on my April 20, 2019 Prisoner Diet & not allow me (6) month Nat-
to practice & observe my Hebrew Dietary ements etc

6) Defendant on my April 20, 2019 Prisoner Diet & not allow me
 (City, State) to practice & observe my Hebrew Dietary Prisoner
 as Prisoner & Part 2012 thru 2017 Prisoner
 (Position and title, if any) And retaliated etc. for filing grievances
on him for those illegal acts etc.

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of
 state law? yes no. If your answer is "YES", briefly explain:

(Cont'd Pg. 1-2)

3) Defendant MIKE CARPENTER is a citizen of
 (Name of second defendant)
MC ALISTER, D.K. ALABAMA, and is employed
 (City, State)

as DICLARATION, PENI, WARDEN
 (Position and title, if any)

(In his individual & official capacities being sued)
 At the time the claim(s) alleged in this complaint arose, was this defendant acting under the
 color of state law? Yes ☒ No ☐ (See attach memorandum of LAW Pg. 1 of 12)
 If your answer is "Yes", briefly explain:

AS O.S.P. Warden as the supervisor & enforcer of DOC/USC policies of 23412, etc. & 23417, etc. through grievances he learned of the violation of my religious fasting & incoming legal mail &
 [You may attach one additional page (8 1/2" x 11") to furnish the above information for additional defendants.] personal mail violations & destruction etc. and failed

B. JURISDICTION

- 1) Jurisdiction is asserted pursuant to: (Check one) 2501-Thru-2519 etc.
☒ 42 U.S.C. §1983 (applies to state prisoners)
☐ Bivens v Six Unknown Named Agents of Fed. Bureau of Narcotics.
 403 U.S. 388 (1971) and 28 U.S.C. §1331 (applies to fed. prisoners)

- 2) Jurisdiction also invoked pursuant to 28 U.S.C. §1343(a)(3). (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

(A) F.R.C.P. 56(F) & (B), PLAINTIFF'S CLAIMS for Injunctive relief are authorized by 28 U.S.C. section 2203 to 2204 & Rule 65

F.R.C.P. (C) The Court has supplemental Jurisdiction over Plaintiff's

C. NATURE OF CASE STATE LAW CLAIMS under 28 U.S.C. sec-1367.
 (See attach memorandum of LAW Pg. 1 of 12)

- 1) Briefly state the background of your case. Defendants' Direct Involvement

of violations of my religious non meat Diet & special observance prisoner meals from 2001-Thru-April 20, 2019
and the charge of my DOC policies etc. to discontinue my Hebrew Religious non meat Diet & approval of such Diet by the Chaplain only & further them illegal engaging in destruction & sabotage of my federal/state courts cases getting them dismissed

D. CAUSE OF ACTION And stopping me from get personal legal mail out since July 2017 etc. made to keep them unsealed etc.

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: [If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.] (See attach) memorandum of LAW Pg. 1 of 12

a (1) Count I: E.B.U. I.P.A. 1st Amend. free exercise clause, freedom of religion & speech & denied the right to petition the government of redress of

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.) (see attach memorandum of Law Ps. 1 of 12)
J. Allbaugh, M. Carpenter, C. Allen, & N. Cooper engaged

In depriving me of practice my old testament Hebrew Dietary & sincere observance religious & destroyed & Abolish my court & personal mail & laws

- b (1) Count II: see attach m. o. l. Ps. 1 of 12 ETC
1st Amend. Retaliation, & Ex Post facto

CLAWE

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.) (see attach m. o. l. Ps. 1 of 12) In support ETC

J. Allbaugh, M. Carpenter, N. Cooper & C. Allen
Illegally engaged in retaliation ETC of my Sincere
Religious Practice & Dietary Laws & hindering ETC
my rights to send out legal & personal mail ETC for filing
 C (1) Count III: Grievances & Complaints & suits on them
T.R.B. & Injunction & 1717 Amend. ETC

Speedy TRIAL ACT & Thwart & hinder

my Access to Exhaustion of Grievances & State

Courts

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.) (see attach m. o. l. Ps. 1 of 12) In support

J. Allbaugh & M. Carpenter Created new
Religious Policies in Retaliation ETC of mine & other
African Hebrew Religious Practice & Dietary Laws
& special observance Laws in accordance with
The old testament Bible & new forms that
disincludes Hebrew No meats, Vegan Diets & Appro-
val of these Dietary Complaint & denied Access to

E. **PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF**

Exhaustion of Grievances & State Court issues

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?
 Yes ☒ No ☐

If your answer is "Yes", describe each lawsuit. [If there is more than one lawsuit, describe this each additional lawsuit using the same format on a blank sheet of paper which you should label "E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF."]

- a) Parties to previous lawsuit:

Plaintiffs: Antone Lamandinso Knox
 Defendants: David Orman, et al.

- b) Name and Location of Court and docket number U.S. Western District
200 N.W. 4th St, Miami, FL 33132-3022, Doc # 19-2011631 -
ML

- c) Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?) Case Dismissed without Prejudice etc.

- due to Defendants engaged in conspiracies etc to
stop my ongoing legal mail of 1983 Complaints & Summary etc
 d) Issues raised 1st Amendment Due Process, Freedom of Press, Free
Speech etc with 3-strikes was allowed to proceed to
 e) Approximate date of filing lawsuit 2011 ?? also Court

- f) Approximate date of disposition 2011 ??

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part D. Yes ☒ No ☐.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

Submitted Grievance Appeals # 08819-52 &
08819-57 to D.S. Warden, & Dir. refusal to respond
see these Exhibits D's & C's etc. enclosed

- 3) I have exhausted available administrative remedies Yes ☐ No ☐.

If your answer is "Yes" briefly explain the steps taken. Attach proof of exhaustion.

If your answer is "No" briefly explain why administrative remedies were not exhausted. see attach m.b. 0811-01-12

see Attachments of Exhibits D's & C's

and same issues of Religious mail tampering

& Destruction etc. Grievance dated 2/22 & 25/19 5/11

F. PREVIOUSLY DISMISSED ACTIONS OR APPEALS

- pending with the D.S. Warden Dir. of DOC
 1) If you are proceeding under 28 U.S.C. §1915, please list each civil action or appeal you have brought in a court of the United States, while you were incarcerated or detained in any facility, that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Please describe each civil action or appeal. [If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a blank sheet of paper which you should label "F. PREVIOUSLY DISMISSED ACTIONS OR APPEALS."] see Attachment/Exhibits

17-2 of previously dismissed & Appeals

a) Parties to previous lawsuit:

Plaintiffs: ANTHONY LAMANDINO KNOP

Defendants: RANDALL RUSLAND, ET AL.

b) Name and Location of Court and docket number U.S. EASTERN DIST CT

101 N. 5th St. P.O. Box 667, Muskogee, AL 36462-0667, Room 205
CASE NO. CIV-2015-287-KAL-CPR

c) Grounds for dismissal: [] frivolous [] malicious [] failure to state a claim upon which relief may be granted. 3-strike rule filing fee not waived etc.

d) Approximate date of filing lawsuit Sept 7, 2015

e) Approximate date of disposition ?

2) Are you in imminent danger of serious physical injury? ☒ Yes No ☐ If your answer is "Yes" please describe the facts in detail below without citing legal authority or argument. further deprivation of hunger strike of Alternative if Supplemental Protein source will harm me further if my April 25, 2019 sentence for seven days will be violated if

G. REQUEST FOR RELIEF

my outgoing legal mails to federal/state courts
4/1 I denied of six month state court will get my car
1) I believe that I am entitled to the following relief:

(1) \$100,000 in Punitive Damages, (2) \$100,000 in Divine
Compensatory Damages, (3) \$100,000 in d etc
and (4) defendant (all) Injunction of all defendants will have re-hab official
in the official capacity of the prison, of killed trial

ANTHONY LAMANDINO KNOP

Original Signature of Attorney (if any)

A.C.E./N.L.G. member

#191626-D.S.P., P.O. Box 97

Original Signature of Petitioner

A.C.E./N.L.G. member

1299 N.W. Street, McAlester, AL 36052

915-423-4700

Attorney's full address and telephone number

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746. 18 U.S.C. §1621.

Executed at D.S.P. Box 97, 1299 N.W. St
McAlester, AL 36052-0097 on Feb 25, 2019
(Location) (Date)

ANTHONY LAMANDINO KNOP
(Original Signature of Prisoner)